

Comments on OR Draft TMDL Implementation Plan Guidance for Urban Areas

General: Remember the guidance must be applicable to the Coastal NONPOINT Management area, not the Coastal Zone Management area. Those are two different things and if a DMA would look up the online CZM boundary online, they would not be looking at the appropriate boundary. Need to replace Coastal Zone Management boundary/area with Coastal Nonpoint Program boundary throughout.

While the doc presents a lot of good info, it should be simplified for the audience which is the DMAs and should make sure to focus on urban management measures. No need to go into so much background on history of CZARA and other programs—the DMAs don't need to know that to develop the implementation plans. Focus on what plans need to include as far as BMPs (including specifics—not just develop an ordinance) to address the new development MMs requirements.

Support ODEQ's plan to include a decision tree which would guide DMAs in selecting measures needed.

Pg 9, last paragraph—Could be helpful to emphasize New Development (g) guidance requirements here.

Pg 13/14—Part c—make more timeless. Don't need to get into details about how OR has met 13 of 15 urban MMs for TMDL Urban implementation guidance or the detailed history of CZARA development.

Pg. 15, 4th paragraph under part e—Guide says ESC and structural BMPs will achieve 80% TSS reduction required for new development but not all the BMPs listed in the back would achieve 80% TSS. ESC BMPs aren't designed to achieve 80% TSS reduction post-development.

Pg. 16.—document recommends a variety of ordinances but ordinances are only as good as what they require. Appx I provides some details and may consider including some sample ordinance language or excerpts from ordinances to help DMAs further.

Pg. 32—States that the TMDL Implementation Plan does not address forestry or agricultural land uses. DMAs are only responsible for land use activities under their jurisdiction. But how are implementation plans supposed to address additional management measures for forestry then?

Pg. 32 (and elsewhere)—Discuss BMPs generally many places earlier on but would be helpful to include reference to specifics at back of manual since I was wondering when (if) specific requirements were going to be provided. Not all BMPs recommended would address new development management measures.

Pg. 36—States that TMDL Implementation plans only need to address pollutants in the TMDL. How does this statement fit with top of pg. 24 which says that DMAs that are required to develop TMDL Implementation plans must meet CZARA requirements? Statements appear to be

contradictory.

Table 6—LID Ordinance and other ordinances recommended in the table are only as good as what the ordinance calls for. Just passing an ordinance may not be adequate for addressing the issues needed for CZARA—need to be consistent with (g) guidance for new development.

Appendix D—not sure EPA/NOAA letter, dated May 12, 2010 is needed for this document—it is likely too much unnecessary detail for the targeted audience.

Appendix I—Stormwater management ordinance should also control TSS, not just keep post-runoff same as pre-runoff—especially for sedimentation and nutrients. OSDS ordinance needs to require inspections every 3-5yrs or at least during property transfer. May help to separate categories of BMPs such as separating construction vs post construction BMPs.

Appendix M—Stormwater ordinance should also address 80% TSS control, not just pre/post runoff.

TMDL IMD Comments

Reference 6217 (g) guidance in the IMD for coastal TMDLs and Implementation plans is also a good one.

Pg. 34 (6.4.2)—this section as good language on what urban TMDL Implementation Plans should include. To be consistent, TMDL Implementation Plan Guidance should also capture this information.